

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Linda Engelmeier 09/06/2000
Department of Commerce
14th and Constitution Avenue NW
Room 5327
Washington, DC 20230

In accordance with the Paperwork Reduction Act, OMB has taken the following action on your request for approval of the reinstatement of an information collection received on 08/04/2000.

TITLE: Southwest Region Permit Family of Forms

AGENCY FORM NUMBER(S): None

ACTION : APPROVED

OMB NO.: 0648-0204

EXPIRATION DATE: 09/30/2003

BURDEN	RESPONSES	BURDEN HOURS	BURDEN COSTS
Previous	0	0	0
New	433	245	0
Difference	433	245	0
Program Change		245	0
Adjustment		0	0

TERMS OF CLEARANCE: None

NOTE: The agency is required to display the OMB control number and inform respondents of its legal significance (see 5 CFR 1320.5(b)).

OMB Authorizing Official	Title
Donald R. Arbuckle	Deputy Administrator, Office of Information and Regulatory Affairs

PAPERWORK REDUCTION ACT SUBMISSION

Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the supporting statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503.

1. Agency/Subagency originating request	2. OMB control number b. <input type="checkbox"/> None a. _____ - _____
3. Type of information collection (<i>check one</i>) a. <input type="checkbox"/> New Collection b. <input type="checkbox"/> Revision of a currently approved collection c. <input type="checkbox"/> Extension of a currently approved collection d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired f. <input type="checkbox"/> Existing collection in use without an OMB control number For b-f, note Item A2 of Supporting Statement instructions	4. Type of review requested (<i>check one</i>) a. <input type="checkbox"/> Regular submission b. <input type="checkbox"/> Emergency - Approval requested by _____ / _____ / _____ c. <input type="checkbox"/> Delegated 5. Small entities Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input type="checkbox"/> No 6. Requested expiration date a. <input type="checkbox"/> Three years from approval date b. <input type="checkbox"/> Other Specify: _____ / _____
7. Title	
8. Agency form number(s) (<i>if applicable</i>)	
9. Keywords	
10. Abstract	
11. Affected public (<i>Mark primary with "P" and all others that apply with "x"</i>) a. <input type="checkbox"/> Individuals or households d. <input type="checkbox"/> Farms b. <input type="checkbox"/> Business or other for-profit e. <input type="checkbox"/> Federal Government c. <input type="checkbox"/> Not-for-profit institutions f. <input type="checkbox"/> State, Local or Tribal Government	12. Obligation to respond (<i>check one</i>) a. <input type="checkbox"/> Voluntary b. <input type="checkbox"/> Required to obtain or retain benefits c. <input type="checkbox"/> Mandatory
13. Annual recordkeeping and reporting burden a. Number of respondents _____ b. Total annual responses _____ 1. Percentage of these responses collected electronically _____ % c. Total annual hours requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____	14. Annual reporting and recordkeeping cost burden (<i>in thousands of dollars</i>) a. Total annualized capital/startup costs _____ b. Total annual costs (O&M) _____ c. Total annualized cost requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____
15. Purpose of information collection (<i>Mark primary with "P" and all others that apply with "X"</i>) a. <input type="checkbox"/> Application for benefits e. <input type="checkbox"/> Program planning or management b. <input type="checkbox"/> Program evaluation f. <input type="checkbox"/> Research c. <input type="checkbox"/> General purpose statistics g. <input type="checkbox"/> Regulatory or compliance d. <input type="checkbox"/> Audit	16. Frequency of recordkeeping or reporting (<i>check all that apply</i>) a. <input type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure c. <input type="checkbox"/> Reporting 1. <input type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input type="checkbox"/> Other (describe) _____
17. Statistical methods Does this information collection employ statistical methods <input type="checkbox"/> Yes <input type="checkbox"/> No	18. Agency Contact (person who can best answer questions regarding the content of this submission) Name: _____ Phone: _____

19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal Agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9

NOTE: The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8(b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It used plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention period for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
 - (i) Why the information is being collected;
 - (ii) Use of information;
 - (iii) Burden estimate;
 - (iv) Nature of response (voluntary, required for a benefit, mandatory);
 - (v) Nature and extent of confidentiality; and
 - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of the provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Signature of Senior Official or designee

Date

Agency Certification (signature of Assistant Administrator or head of MB staff for L.O.s, or of the Director of a Program or Staff Office)	
Signature	Date
Signature of NOAA Clearance Officer	
Signature	Date

SUPPORTING STATEMENT

Federal Fisheries Permits Southwest Region 2000

1. Justification

The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) established regional fishery management councils, including the Western Pacific and Pacific Councils, to develop fishery management plans (FMPs) for fisheries in the U.S. exclusive economic zone (EEZ). These plans, if approved by the Secretary of Commerce, are implemented by Federal regulations which are enforced by the National Marine Fisheries Service (NMFS) and the U.S. Coast Guard (USCG), in cooperation with State agencies to the extent possible. FMPs are intended to regulate fishing for stocks to prevent overfishing and achieve the optimum yield from the fisheries for the benefit of the U.S.

The Western Pacific Fishery Management Council (Western Pacific Council) has fisheries management jurisdiction in the EEZ around American Samoa, Guam, Hawaii, Northern Mariana Islands, and the U.S. Pacific island possessions. The Western Pacific Council has prepared FMPs for crustaceans, precious corals, pelagic, and bottomfish/seamount groundfish management unit species of the western Pacific. The Pacific Fishery Management Council (Pacific Council) has prepared a FMP for the coastal pelagic species fishery off the U.S. West Coast. Each of these FMPs contains a requirement that commercial fishery participants obtain permits for the fishery. This OMB83-I deals with the information collection requirements for permit requirements. The Southwest Region, NMFS, administers the permit program.

There are three types of permits: basic fishery permits (e.g., western Pacific general longline fishing and receiving permits, precious coral permits), limited entry permits for selected fisheries (e.g., Hawaii longline fishery, West Coast coastal pelagic fishery), and experimental fishing permits (EFPs). Basic permits are used in all fisheries where there are no specific limitations or eligibility criteria for entry to the fishery. Limited access/entry permits are used to prevent overcapitalization or address other problems in the fishery. EFPs are used to allow controlled and observed fishing with gear or techniques or within closed areas, that would otherwise be prohibited. Such fishing may demonstrate new ways to fish economically without adverse biological problems or with less take of protected resources such as sea turtles. In addition, there are provisions for transfers among owners of certain limited entry permits such as the Hawaii longline, Northwestern Hawaiian Islands (NWHI) crustaceans and coastal pelagic species limited entry permits and for appeals of actions on Hawaii longline limited entry permits, NWHI bottomfish/seamount groundfish limited access permits, and coastal pelagic species limited entry permits.

General permit requirements are found in 50 CFR 660.13 (Subpart B) with the specific requirements contained in relevant sections of 50 CFR 660 (Subparts C - F, and Subpart I) (see Attachment 1 for associated regulations) The types of permits for the individual fisheries are as follows :

Pacific Fishery	Permit Type	Form	Expiration	Permit Action
Pelagics (Longline only)	• Hawaii longline limited access permit (660.21)	W. Pacific fisheries form	March 2001	renewal, transfer, appeal (no form)
	• Longline general permit (660.21)	W. Pacific fisheries form	March 2001	initial, renewal
	• Receiving vessel permit (660.21)	W. Pacific fisheries form	March 2001	initial, renewal
	• Longline fishing prohibited area exemption (660.27)	W. Pacific fisheries form & Supplemental Sheet	indefinite	none
Crustaceans	• Permit Area 1 (660.12, 660.14) Northwestern Hawaiian Islands limited access permit	W. Pacific fisheries form & Supplemental Sheet	indefinite	transfer
	• Permit Area 2 (660.12, 660.41) main Hawaiian Islands	W. Pacific fisheries form	indefinite	none
	• Permit Area 3 (660.12, 660.41) Guam & American Samoa	W. Pacific fisheries form	indefinite	none
Bottomfish/Seamount Groundfish	• Northwestern Hawaiian Islands Hoomalu Zone limited access permit (660.61)	W. Pacific fisheries form & Supplemental Sheet	December 31	initial, renewal waiver, appeal (no form)
	• Northwestern Hawaiian Islands Mau Zone limited access permit (660.61)	W. Pacific fisheries form & Supplemental Sheet	December 31	initial, renewal waiver, appeal (no form)
Precious Corals	• Established Bed (Makapuu Bed) (660.12, 660.81)	W. Pacific fisheries form	Two years	initial
	• Conditional Beds (Keahole Pt., Kaena Pt., Brooks Bank, 180 Fathom Bank) (660.12, 660.81)	W. Pacific fisheries form	One year	initial, re-issuance
	• Refugia (Wespac Bed) (660.12, 660.81)	W. Pacific fisheries form	One year	none
	• Exploratory Areas (Hawaii, American Samoa, Guam, U.S. Island Possessions) (660.12, 660.81)	W. Pacific fisheries form	One year	initial, re-issuance
Experimental Fishery	• Experimental Fishing Permit(660.17)	No Form	One Year	initial
Coastal Pelagic Species	• Coastal Pelagic limited entry permit (660.512)	West Coast coastal pelagic species form		initial/renewal, transfer, additional info, appeal (no form)

A single application form (Attachment 2) is used for general fishery and limited access permits for the western Pacific region. This allows permit applicants to fill out only one form for any or all of the fisheries they qualify for. The single form was first adopted in 1991 to substitute for separate forms in the different fisheries and to be used for the first time in the precious corals fishery (no form was previously required, although information was required to be submitted by permit applicants). Minor changes have been made in the form to make it simpler and reduce the amount of information requested and to accommodate changes in the limited entry programs (e.g., addition of a Mau Zone bottomfish and seamount groundfish limited entry program in 1999). The application requires submission of a current USCG Certificate of Documentation (for documented vessels) or vessel registration certificate (for undocumented vessels) from the appropriate state or territorial agencies. These forms already provide basic vessel information. The application form also is used to document requests for and action on requests for transfers of Hawaii longline and NWHI Hawaiian Islands lobster. The Western Pacific fisheries application form includes space on the reverse side for supplemental information, as well as an information sheet for NWHI bottomfish Hoomalu and Mau Zone fisheries, when permit eligibility criteria require additional information to determine whether the individual qualifies for a permit.

Similarly, there is one general application form (Attachment 3) for the West Coast coastal pelagic species limited entry permit its renewal, transfer, replacement (if lost), and change of address. In some cases, permit applicants may have to submit additional records about their fishing activity or ownership of a vessel to supplement records obtained from the State of California.

There are typically provisions in the permit process for appeals of permit denials. Appellants may use whatever form they believe is appropriate in requesting NMFS to review their case.

The duration of permits varies by fishery. The term for Hawaii and western Pacific longline general fishery permits is five years, coincident with the 5-year permit duration of licenses issued by NMFS under the High Seas Fishing Compliance Act (HSFCA). The duration of the main Hawaiian Islands longline fishing prohibited area exemption is indefinite. This exemption was established to provide economic relief to the few Hawaii longline vessel owners who have a long history of dependence on longline fishing in the closed areas by allowing them to keep fishing in those areas. Currently, area closure exemptions are held by only two vessel owners, however, no new requests are anticipated in the future even though the provision remains in the regulations.

The term for NWHI lobster fishery permits is indefinite; this is a relatively small fishery (15 permits but only five or six active vessels) and it is easy to monitor without annual permit renewals. At present, the crustacean fisheries in the main Hawaiian Islands (Permit Area 2) and American Samoa/Guam (Permit Area 3) are non-active and anticipated to remain as such during the next three years.

The term of the NWHI Hoomalu and Mau Zone bottomfish limited access permits is one year. Both bottomfish fisheries have annual performance standards for permit renewals, with a potential for new entry when a permit holder fails to meet the performance standard and thus fails to qualify

for permit renewal. Therefore, it is necessary to have very up-to-date records of permit holders on an annual basis. Occasionally, a permit holder requests a waiver from the annual landing requirement for permit renewal as he or she was unable to fish for reasons beyond his/her control (e.g., vessel breakdown, captain incapacitation, etc.). This is covered by this collection which involves submission of documentation, such as medical reports and vessel repair workorders from the permit holder demonstrating the event that prevented the permit holder from meeting the landing requirement.

Western Pacific precious coral permits for the conditional and exploratory coral beds are valid for one year; permits for the one established bed at Makapuu Point, is valid for two years. For 20 years, the precious coral fishery has been dormant; however, recently with new technology, i.e., highly maneuverable, deep-diving manned submersibles, there has been renewed interest in the precious coral resources around the Hawaiian Islands. Although only two participants are expected to engage in this cost-prohibitive fishery, many of the previously unknown Hawaiian precious coral beds will be tapped. Since the regulations do not allow for more than one precious coral permit to be valid for any one vessel at any one time, it is anticipated that permits will be surrendered and re-issued to the two permit holders as they search and harvest corals from bed to bed. Precious coral beds not expected to have any activity is the Wespac Bed, NWHI, which is a refugia and exploratory beds in American Samoa, Guam, and U.S. Pacific Island possessions of which very little is known at this time.

Coastal pelagic species limited entry permits are valid for a two year term. In this fishery, once initial permits have been issued, there will be only a few permit actions per year in following years for permit transfers (in the first year only) and renewals every second year. It is noted that an estimated 80 individual permit holders will be involved in multiple collections.

Permits and the information obtained through permit applications are essential ingredients in the management of these fisheries. They serve to identify actual or potential participants in the various fisheries. These data are needed to help measure the impacts of management controls on the participants in the fisheries. Permits are also effective tools in the enforcement of other fishery regulations. The threat of permit sanctions that would exclude a vessel from the fishery may be more effective than fines for violations of specific fishery regulations. Further, transferable limited access/entry permits may have a resale value and may be an asset that the government can seize in settlement of penalties for fishery violations.

Permits also provide an important link between the NMFS and fishermen via the permit application process. They make it easier for NMFS staff to contact fishermen and advise them of changes in the regulations or fishery conditions and give fishermen a direct point of contact in case they have questions or problems they want to bring to the attention of NMFS or a fishery management council.

Section 303 (b) (1) of the Magnuson-Stevens Act specifically authorizes the establishment of permit requirements. Almost all international, federal, state, and local fishery management authority uses permits as part of their management systems.

2. Users and Uses of the information

The information requested on the NMFS Southwest Region federal fisheries permit application forms (and in some cases the supplemental information section) is used by the Southwest Region to determine whether the applicant meets the eligibility criteria for a permit for the fishery the person wants to enter. The data may also be used by several offices of NMFS, USCG, and state and territorial fishery-management, research, and enforcement agencies. As requested, summaries of permit application information are provided to the Western Pacific and Pacific Councils, member states, and interested parties to describe the characteristics of the fishery and estimate the nature and magnitude of the impacts of fishery regulations on different permit holders. Information on the vessel (as provided in documentation or registration certificates) is used to ascertain actual or potential participants in different sectors of each fishery and the amount of harvesting pressure they might exert on the fishery. This is important in determining the potential effectiveness and impacts of different management approaches and in assessing the capacity of the fleets in the fisheries.

The information collected is basic data on applicants such as name of owner and vessel operator, name of vessel and its official number, address, telephone number, and radio call sign. Required copies of the vessel's USCG documentation or state/territory registration certificates identify the legal ownership of the vessel being permitted. This latter requirement is essential for imposing permit sanctions, which are an effective fisheries enforcement tool. Since many vessels may be owned by partnerships or corporations, identification of ownership on the application form allows NMFS to sanction the company as well as the individual vessel operator for repeated violations of federal regulations. By having addresses, the NMFS can mail fishery information to vessel owners and operators; also permit renewal forms are sent to permit holders quickly and easily. Telephone numbers (business, home, facsimile) are used to assist NMFS in processing the application by allowing questions to be resolved more quickly than by correspondence.

Federal regulations (at 50 CFR 660.13(c)) authorize the collection of information (for western Pacific fisheries permit applications), such as social security number. Social security number information is often the only reliable and constant informational unit that is available to NMFS enforcement agents for verifying the identity of the applicant(s) and for accurately retrieving confidential records related to the federal fisheries permits. Disclosure of the social security number of the applicant and vessel operator is voluntary. In the event this information is not provided, NMFS will assign a unique code that will identify the records.

Vessel owner or his or her agent's signature is required as legally binding actions which ensure eligibility to receive or transfer a permit under specific FMP regulations. False statements without the signature of the applicant would be much harder to prosecute.

Appeals of permit denials must be accompanied by documentation from the appellant to try to show why the permit should have been granted. This could include fishing logs, invoices from fish sales, State landings records, auction house receipts, financial transaction records relative to vessel ownership, or other records to demonstrate that the appellant had met the eligibility criteria for the particular fishery.

Experimental fishing permits (EFPS) are issued to applicants for fishing activities that would otherwise be prohibited under a FMP. A specific form for an EFP application is not required; however, an application for an EFP must provide a narrative description of the proposed activity to fully document the intended operations. This documentation allows NMFS, the Council and affected state/territorial fishery agency to evaluate the consequences of the experimental fishing activity and weigh the benefits and costs. EFPs allow innovation that may relieve excessive fishing effort or discover new methods that may resolve existing technological barriers to better management of the fishery and resource.

None of the questions asked in the permit process are asked in other permit programs with the exception that the NMFS HSFCA permit requirements duplicate the Hawaii longline permit requirements to a limited degree. As noted above, the term of the Hawaii longline permit coincides with the HSFCA permit period.

Implementing regulations of Amendment 8 to the Fishery Management Plan for the Northern Anchovy Fishery, renamed the Coastal Pelagic Species Fishery Management Plan, require limited entry permits be issued to all vessels fishing for coastal pelagic species, such as Pacific mackerel, jack mackerel, Pacific sardine, etc., south of 39 degrees N. latitude. Permits are obtained by filling out an application with information that allows NMFS to determine eligibility and status of each vessel. These permits are transferable for one year following implementation of the amendment. After one year, permits may be transferable to another vessel only if the permitted vessel is lost, stolen, or no longer able to participate in a federally managed commercial fishery. An application for transferability can only originate from the vessel owner. The coastal pelagic species permit collection is necessary for NMFS to administer the limited entry program for the fishery. Vessels authorized to fish in a restricted U.S. West Coast fishery need to be distinguished from unauthorized vessels with regard to assessing economic impacts and enforcement at sea.

3. Use of improved information Technology

The Southwest Region's website at <http://swr.ucsd.edu> is used to inform the public about the coastal pelagic species permit program and provides a means by which the application form for the coastal pelagic species limited entry permits may be obtained. Availability of western Pacific fisheries permit application/information forms and information via this website is targeted for 2001. At this time none of the permit applications for the western Pacific fisheries are currently submitted in electronic form although facsimile machines are used to a considerable extent.

EFP applications are relatively rare events and cannot be predicted in advance. There is no improved information technology that would simplify the application process.

4. Consideration of Other Collections

One Federal program that provides some similar information is the vessel documentation program of the U.S. Coast Guard. The permit process calls for submission of a copy of the current certificate of Documentation for vessels to provide information about the vessels and their ownership. The permit application form no longer contains a requirement to provide duplicate information. In addition, in the Hawaii longline limited entry permit, there is some duplication with the HSFCA permit program; however, that program is national and is focused only on vessels fishing on the high seas, and the Hawaii limited entry permit term coincides with the HSFCA permit term. NMFS thoroughly reviewed the permit programs for the State of Hawaii, Territories of Guam and American Samoa, and the Commonwealth of the Northern Mariana Islands in deciding on the need for consolidating the Federal fisheries permit application form for the western Pacific region. In addition, the NMFS consulted with these agencies in the original development of the permit forms to determine that there was a minimum of duplication in respective information collections. Those agencies offered advice which was considered in developing the final specifications for the form itself as well as the information elements being recorded. However, in no instance was it possible to use State data to replace the federal permit form.

Fishery data collection programs are being implemented by the State of Hawaii, the Territories of American Samoa and Guam, and the Commonwealth of the Northern Mariana Islands. At present, permit requirements are minimal, except in Hawaii, and the agencies are making progress in developing programs to collect the type or level of detail of data that are needed by NMFS and the Council for monitoring fishery performance and conducting economic evaluations of the fishery. As indicated above and in item 9, the NMFS consulted with these non-Federal agencies to ensure that there be a minimum of duplication in our respective information collection requirements. NMFS also considered Coast Guard reporting requirements in designing the current form and setting information requirements on the form.

5. Consideration of Problems for Small Businesses

All of the vessels in the western Pacific fisheries and the Pacific coastal pelagic fishery are small business entities of similar size and are affected comparably. No special measures are needed to accommodate different sized businesses. Only the minimum data to meet the permit objectives are requested from the permit applications.

6. Consequences of Not Collecting the Data or Collecting Them Less Frequently

If permit data are not available or are collected less frequently, NMFS will have difficulty monitoring the fishery, determining entry and exit patterns, and providing information needed to

ensure full impact analysis from the regulatory programs. NMFS Enforcement will not be assured of being able to identify current permit holders for purposes of compliance monitoring and enforcement of the regulations. There will be less frequent contact with fishermen and our ability to contact permit holders to consult them prior to adopting new regulations and to advise them of regulatory changes will diminish. Our ability to document transfers of marketable permits under the newly mandated permit and lien registry system of the Magnuson- Stevens Act also will be reduced.

7. Consistency with OMB Guidelines

The collection is consistent with the OMB Guidelines.

8. Consultations

NMFS consulted with the fishing industry, vessel operators, state and territory agencies, enforcement officials, and other agencies in developing the consolidated permit form. Permit changes have been discussed at meetings of the Western Pacific Council and Pacific Council, which are open to and attended by fishermen and processors, and which include State and Territory officials as members. Permit processes also are discussed with fishermen as they go through the permit process, and the frequency of permitting proposed in this request reflects our consideration of the desire to minimize the need for fishermen to make frequent trips, calls, or mailings to NMFS permit staff. As noted, permit renewal forms with the information on record are actually sent to permit holders to facilitate their completion and submission of renewal requests with a minimum of difficulty; only changes need to be made on the form. A Federal Register notice eliciting public comment on this collection was published on March 6, 2000. comments were received.

9. Payments or Gifts

No payments or gifts are involved in this program.

10. Confidentiality

Under the Magnuson-Stevens Act, information submitted in accordance with regulatory requirements under the Act are confidential. This includes confidential information submitted with a permit application. Personal and proprietary information is not released to the public.

11. Sensitive Questions

No questions are asked of a sensitive nature.

12. Estimated Information Collection Burden

				Annual Burden: (Hours)
PACIFIC PELAGIC FISHERY				
Hawaii Longline Limited Access Permit:				
• Renewal (March 2001)	164	respondents	x 0.50 hr/response	= 82.00
• Transfer	30	respondents	x 0.50 hr/response	= 15.00
• Appeal	2	respondents	x 2.00 hr/response	= 4.00
Longline General Permit:				
• Initial	10	respondents	x 0.50 hr/response	= 5.00
• Renewal	80	respondents	x 0.50 hr/response	= 40.00
Receiving Vessel Permit				
• Initial	1	respondent	x 0.50 hr/response	= 0.50
• Renewal (March 2001)	1	respondent	x 0.50 hr/response	= 0.50
Longline Fishing Prohibited Area Exemption	0	respondent	x 2.00 hr/response	= 0.00
CRUSTACEAN FISHERY				
Permit Area 1 (NWHI) Limited Access Permit				
• Transfer	5	respondent	x 0.50 hr/response	= 2.50
Permit Area 2 (main Hawaiian Islands)	0	respondent	x 0.50 hr/response	= 0.00
Permit Area 3 (American Samoa/Guam)	0	respondent	x 0.50 hr/response	= 0.00
BOTTOMFISH & SEAMOUNT GROUND FISH FISHERIES				
NWHI Hoomalu Zone Limited Access Permit				
• Initial	1	respondent	x 1.00 hr/response	= 1.00
• Renewal	7	respondents	x 1.00 hr/response	= 7.00
• Waiver	1	respondent	x 1.00 hr/response	= 1.00
• Appeal	1	respondent	x 2.00 hr/response	= 2.00
NWHI Mau Zone Limited Access Permit				
• Initial	1	respondent	x 1.00 hr/response	= 1.00
• Renewal	10	respondents	x 1.00 hr/response	= 10.00
• Waiver	1	respondent	x 1.00 hr/response	= 1.00
• Appeal	1	respondent	x 2.00 hr/response	= 2.00

PRECIOUS CORALS

Established Bed (Makapuu Pt.)

• Initial	2 respondents x 0.50 hr/response	=	1.00
• Re-issuance	2 respondents x 4 re-issuance/respondent x 0.50 hr/response	=	4.00

Conditional Beds

• Initial	2 respondents x 0.50 hr/response	=	1.00
• Re-issuance	2 respondents x 2 re-issuance/respondent x 0.50 hr/response	=	2.00

Refugia (Wespac Bed)

• Initial	0 respondent x 0.50 hr/response	=	0.00
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Exploratory Areas (Hawaii, American Samoa, Guam, U.S. Pacific Island Possessions)

• Initial	2 respondents x 0.50 hr/response	=	1.00
• Re-issuance	2 respondents x 3 re-issuance/respondent x 0.50 hr/response	=	3.00

EXPERIMENTAL FISHERY

• Initial	4 respondents x 2.00 hr/response	=	8.00
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COASTAL PELAGIC SPECIES

Coastal Pelagic Species Limited Entry Permit

• Initial/Renewal	70 respondents x 0.50 hr/response = 35.00 hrs/year		
Renewal of a permit is required every two years; therefore, initial issuance requires 35 hrs and renewal requires 35 hrs in year three.		Total burden over 3-year PRA approval period is (35.00 hr + 35.00 hr)/3 yr	= 23.33
• Transfer	7 respondents x 0.50 hr/response	=	3.50
• Additional Information	2 respondents x 1.00 hr/response	=	2.00
• Appeal	11 respondents x 2.00 hr/response	=	22.00

TOTALS	422	=	245.33
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Note: an estimated 80 individual respondents will have multiple collection requirements

There is no "start-up" capital cost for complying with this requirement. The estimated total annual cost to respondents is estimated at \$4,900 per year. This was derived by multiplying the number

of hours of burden each year (245 hours) times an hourly cost rate of \$20, the estimated total cost for administrative staff support in an office setting.

13. Estimated Costs

The annual cost to the respondents for postage, faxes, copies, etc. related to this collection is estimated at \$175.

14. Estimated Cost to Government

The estimated cost of this collection to the Federal government ranges from \$40 to \$73 per permit action for reviewing the application, determining its sufficiency, awarding the permit, processing the data, sending out permit renewal timing notices, and responding to inquiries. The total Federal cost is estimated at nearly \$6,000. This includes the costs of staff time in the permits administration staff in the Pacific Islands Area Office, Honolulu, Hawaii, (Western Pacific fisheries permits) and Southwest Region Office, Long Beach, California (Coastal Pelagic Species Limited Entry Permits), as well as time for review and processing of special permit issues by Division and Regional Office staff in Long Beach, CA. The calculation of costs is carried out in accordance with the procedures established by the NOAA Office of the Comptroller and the NOAA Finance Handbook ("Fees for Special Products or Services"). This involves detailed assessment of the time spent by persons at different levels in NMFS and the salary levels of each person who plays a role in the permit process. The cost calculation is reviewed biennially. There are no special computer hardware or software expenses or programming requirements for this collection.

15. Program Changes or Adjustments

The requested burden level represents an increase of 126 hours from the 119 hours approved for the current collection. The change stems from adjustments of existing requirements (additional vessels in the western Pacific general longline fishery, reduction in number of permit actions in the longline fishery, fewer permit appeals in the longline fishery, and renewed activity in the precious corals fishery). Also response times were adjusted for initial Hoomalu Zone bottomfish permits (1 hr decrease) and Mau Zone initial/renewal permit applications (0.25 hr) increase reflecting comments made by the fishermen.

16. Publications

No publications based solely on permit data are planned at this time. However, the information contained in the permit application will be analyzed by the NMFS and Council to assess the status of the fisheries in the western Pacific region and the need for possible management changes to protect fish stocks, protected marine species and their habitats. These analyses will be included in annual stock assessment and fishery evaluation reports which are required under the various FMPs and in documentation to support any changes in management to address problems

identified through the data collection program. The results may ultimately be published in scientific journals.

17. Display of Expiration Date

The expiration dates will be shown on the application forms.

18. Exceptions to Certification Statement

No exceptions to the certification statement are proposed.

FEDERAL FISHERIES APPLICATION FORM

WESTERN PACIFIC REGION

U.S. DEPARTMENT OF COMMERCE

OMB NUMBER: 0648-0204 For Office Use:

Expires:

GC _____

Issued _____

Transmit _____

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
NATIONAL MARINE FISHERIES SERVICE
SOUTHWEST REGION

Mail or deliver this application to:

Pacific Islands Area Office, NMFS
1601 Kapiolani Blvd., Suite 1110
Honolulu, Hawaii 96814-4700
Tel: (808) 973-2937 Facsimile: 973-2982

(Check ☒ appropriate circle or circles for type of permit application)

1. **LONGLINE** - Hawaii Limited Access Permit ☐ Non-refundable processing fee: \$73.00
Longline General Permit (Western Pacific) ☐ American Samoa [] Guam []
Receiving Vessel Permit ☐
Hawaii Closed Area Exemption ☐ (see reverse side of page for eligibility requirements)
2. **LOBSTER** - Northwestern Hawaiian Islands Limited Access ☐ (see reverse side of page)
Main Hawaiian Islands ☐ American Samoa, Guam ☐
3. **BOTTOMFISH** - Hoomalu Zone: ☐ Mau Zone: ☐ Non-refundable processing fee \$65.00
(Submit Supplementary Northwestern Hawaiian Islands Bottomfish Info Sheet)
4. **PRECIOUS CORAL** ☐ Permit Area: _____

VESSEL NAME: _____ **VESSEL OFFICIAL NUMBER:** _____**VESSEL OWNER:** _____
First & Last Name Social Security Number

Privacy Act Statement: Federal Regulations (at 50 CFR Part 660) authorize collection of this information. This information is used to verify the identity of the applicant(s) and to accurately retrieve confidential records related to federal commercial fishery permits. Where the requested information is a Social Security Number, disclosure is voluntary; in the event it is not provided, NMFS will assign a unique code that will identify the records.

NAME OF CORPORATION OR PARTNERSHIP THAT OWNS VESSEL: _____**BUSINESS ADDRESS:** _____
Street City State Zip Code**HOME ADDRESS:** _____
Street City State Zip Code**BUSINESS PHONE NO.** _____ **HOME PHONE NO.** _____ **FAX:** _____**VESSEL CAPTAIN:** _____
First & Last Name Social Security Number**CAPTAIN'S MAILING ADDRESS:** If same as owner's business address, check here: ☐_____
Street City State Zip Code**APPLICANT:** _____ **DATE:** _____
Print Name & Signature of Vessel Owner**PERMIT TRANSFEROR:** _____ **DATE:** _____
Print Name & Signature of Permit Owner Transferring Permit

Permit Number of Transferred Permit: _____

Please submit a copy of the vessel's current U.S. Coast Guard Certificate of Documentation (documented vessel) or registration certificate from state/territorial agency (for undocumented vessel) with this application form.

Federal Fisheries Application Form - Western Pacific Region

SUPPLEMENTAL INFORMATION FOR:

**** MAIN HAWAIIAN ISLANDS LONGLINE FISHING PROHIBITED AREA EXEMPTION ****

VESSEL: _____

Basis for Exemption Eligibility (all boxes must be checked to be eligible):

- ☐ Applicant currently holds a Hawaii longline limited entry permit
- ☐ Applicant was the owner or operator of a vessel that made landings of pelagic management unit species taken on longline gear prior to 1970 from waters now closed to longline fishing.
- ☐ Applicant was the owner or operator of a vessel that made landings of pelagic management unit species taken on longline gear in at least five (5) years since (and including) 1970 from waters now closed to longline fishing.
- ☐ Applicant was the owner or operator of a vessel that made at least 80 percent of its landings of longline-caught pelagic management unit species in any calendar year in waters now closed to longline fishing.

Document(s) demonstrating exemption eligibility is attached (check as many boxes as may apply):

☐ State of Hawaii Catch Reports ☐ Vessel fishing logs ☐ Auction receipts ☐ Signed affidavits
☐ Other (specify): _____

SIGNATURE OF APPLICANT: _____

******* NORTHWESTERN HAWAIIAN ISLANDS LOBSTER LIMITED ENTRY PERMIT *******

If the application is being submitted on behalf of a partnership or corporation, indicate the names of all the owners and their respective percentage of ownership in the partnership or corporation:

VESSEL: _____

Name of Shareholder:

Percent (%)
of Ownership

Business Address:

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

SIGNATURE OF APPLICANT: _____

PAPERWORK REDUCTION ACT INFORMATION

Public reporting burden for this collection is estimated as follows: 30 minutes for Hawaii longline limited access permit renewal/transfer, longline general permit initial issuance/renewal, and receiving vessel permit initial issuance/renewal; 120 minutes for main Hawaiian Islands longline fishing prohibited area exemption; 30 minutes for Northwestern Hawaiian Islands crustaceans limited access permit transfer, main Hawaiian Islands and American Samoa/Guam crustacean permits; 30 minutes for precious coral permit initial/re-issuance (established, conditional, refugia, exploratory areas); and 2 hours for all permit denial appeals. Each burden includes time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the is burden estimate any other aspects of this collection of information, including suggestions for reducing this burden, to Pacific Islands Area Office Administrator, Southwest Region, NMFS 2570 Dole Street, Honolulu, Hawaii 96822.

This information is being collected to ensure accurate and timely records about the persons licensed to participate in fisheries under Federal regulations in the Western Pacific Region. This will enable NMFS and the Western Pacific Fishery Management Council to (a) determine who would be affected by changes in management; (b) inform license holders of changes in fishery regulations; and (c) determine whether the objectives of the fishery program are being achieved by monitoring entry and exit patterns and other aspects of the fisheries. The information is used in analyzing and evaluating the potential impacts of regulatory changes on persons in the regulated fisheries as well as in related fisheries. Responses to the collection are required to obtain the benefit of a license for the fishery involved (ref. 50 CFR 660.13). Data provided concerning the vessel and/or business of the respondents are handled as confidential under the Magnuson-Stevens Fishery Conservation and Management Act (Sec. 402(b)). Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

SUPPLEMENTARY INFORMATION FOR:

Northwestern Hawaiian Islands Bottomfish Fishery:
 Ho'omalulu Zone Limited Access Permit Application
 Mau Zone Limited Access Permit Application

VESSEL OWNER NAME: _____

VESSEL NAME: _____

HO'OMALU ZONE PERMIT APPLICATION:

Place a check (✓) mark alongside the criterion which provides the basis for your application.

1. New permit under historic participation or investment criteria

- _____ Owner of vessel which made at least one landing of NWHI bottomfish on or before 8/7/85; if permits are being requested for two or more vessels, documentation must show that each vessel made at least one landing of NWHI bottomfish each year in 1986 and 1987
- _____ Previously non-owner skipper of vessel which landed NWHI bottomfish on or before 8/7/85 and now owner (50% or greater interest) of vessel for bottomfish fishery
- _____ Incurred substantial expenditure, or received written commitment for loan, on or before 8/7/85, to obtain vessel for NWHI bottomfish fishery
- _____ Made an offer on or before 8/7/85 to purchase a vessel for use in the NWHI bottomfish fishery
- _____ Owner of vessel which qualified for Ho'omalulu Zone permit which was voluntarily surrendered by the owner to the Regional Administrator

2. New permit based on eligibility point system

- _____ Owner of 25% or greater interest in a vessel which may qualify on the basis of points earned through landings of bottomfish from the NWHI or main Hawaiian Islands

HO'OMALU ZONE OR MAU ZONE PERMIT APPLICATION

If this permit application is filed by a partnership or corporation, indicate the names of all the owners and their respective percentage of ownership of the partnership or corporation.

Name of Owner (Shareholder):

Percent (%)
of Ownership:

_____	_____
_____	_____
_____	_____
_____	_____

Signature of Vessel Owner or Designee: _____

Northwestern Hawaiian Islands Bottomfish Fishery: Ho'omalulu Zone Limited Access Permit and Mau Zone Limited Access Permit

PAPERWORK REDUCTION ACT INFORMATION

Public reporting burden for this collection is estimated as follows: 1 hour for initial issuance, renewal, and landing waiver requests for the Hoomalu and Mau Zones limited access permits; 2 hours for all permit denial appeals. Each burden includes time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Pacific Islands Area Office Administrator, Southwest Region, NMFS 2570 Dole Street, Honolulu, Hawaii 96822.

This information is being collected to ensure accurate and timely records about the persons licensed to participate in fisheries under Federal regulations in the Western Pacific Region. This will enable NMFS and the Western Pacific Fishery Management Council to (a) determine who would be affected by changes in management; (b) inform license holders of changes in fishery regulations; and (c) determine whether the objectives of the fishery program are being achieved by monitoring entry and exit patterns and other aspects of the fisheries. The information is used in analyzing and evaluating the potential impacts of regulatory changes on persons in the regulated fisheries as well as in related fisheries. Responses to the collection are required to obtain the benefit of a license for the fishery involved (ref. 50 CFR 660.13). Data provided concerning the vessel and/or business of the respondents are handled as confidential under the Magnuson-Stevens Fishery Conservation and Management Act (Sec. 402(b)). Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

Date:

COASTAL PELAGICS FISHING PERMIT**APPLICATION****LIMITED ENTRY PERMIT/ PERMIT RENEWAL/PERMIT TRANSFER/CHANGE OF ADDRESS
OR REPLACEMENT OF LOST PERMIT****ACTION DESIRED (Check appropriate box):**

☐ **PERMIT APPLICATION** (Processing fee: \$35.00. Complete applicant (1) and vessel information (2)).

☐ **PERMIT TRANSFER** (Processing fee: \$35.00. Complete applicant (1) and vessel information (2) plus alternative vessel information (3) and new permit lessee or owner (4) on reverse of this form.

☐ **PERMIT CHANGE OF ADDRESS** (No cost). Complete applicant (1) and vessel information (2). Put new address in new address section (5).

☐ **REPLACEMENT OF LOST PERMIT** (No cost. Complete applicant (1) and vessel information (2)).

(1) APPLICANT INFORMATION

Name of vessel owner		
Address		
Phone No.	Signature	Date

(2) VESSEL INFORMATION

Vessel Name		Permit No. (if known)
Official Number (Coast Guard)	State Official Number	

- # A vessel qualifies for a permit if at least 100 metric tons of Pacific sardine, Pacific mackerel, northern anchovy, or jack mackerel was landed between January 1, 1993 through November 5, 1997.
- # Only the owner of the qualifying vessel can apply for a permit. All vessels must have a permit by January 1, 2000. All applications must be submitted by July 1, 1999.
- # A permit may be transferred to any other vessel until December 31, 2000, and only one transfer is permitted. After this date, the permit is affixed to the vessel, and only the owner of the vessel may hold the permit.
- # After December 30, 2000, a permit may be transferred to another vessel only if the permitted vessel has been totally lost as defined in 50 CFR 660.502. The lost vessel must be replaced within one year of the date of the loss. The new vessel must be of the same or less net tonnage..

Note: If vessel has a Coast Guard and State official number, please supply both.

Make check payable to the U.S. Department of Commerce, NOAA (Processing fee must accompany application). Send to the Sustainable Fisheries Division, Southwest Region, NMFS, 501 West Ocean Blvd., Long Beach, California 90802-4213.

(3) ALTERNATIVE VESSEL INFORMATION

Vessel Name	Permit No. (if known)
Official Number	

(4) NEW PERMIT LESSEE OR OWNER

Name of vessel owner		
Address		
Phone No.	Signature	Date

(5) NEW ADDRESS

Name of vessel owner
Address
Phone No.

Warning: A false statement on this form is punishable by permit sanctions (revocation, suspension, or modification) under 15 CFR part 904, a civil penalty up to \$100,000 under 16 USC 1858, and as a federal crime under 18 USC 1001.

The purpose of this information collection is to limit the number of vessels fishing for coastal pelagic species according to the provisions of the Fishery Management Plan for Coastal Pelagic Species, which was approved by the Secretary of Commerce and implemented by federal regulations on December 15, 1999. The information on this form is mandatory for owners of vessels who wish to participate in the limited entry fishery, and is required by 50 CFR 660.512. Data provided concerning the vessel and/or business of the respondents are handled as confidential under the Magnuson-Stevens Fishery Conservation and Management Act (Sec. 402(b)). Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

Public reporting burden for this collection is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, California 90802-4213.